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January 6, 2009

VIA CM/ECF

Honorable Peter G. Sheridan, U.S.D.J.

United States District Court

50 Walnut Street

Newark, New Jersey 07102

Re: *Elbex v. Tyco and Sensormatic*,
Civil Action No. 06-5178 (PGS)

Dear Judge Sheridan:

It its November 18, 2008 Order, this Court adopted the parties' jointly proposed schedule and set a tutorial concerning the '864 patent for January 23, 2009.

A settlement has been reached in principle on the pending patent claims and, while there are certain details left to resolve, the parties are working actively and in good faith to finalize the agreement as quickly as possible. The parties jointly request that the date for the tutorial be delayed at least 30 days, to another day that is convenient for the Court.

The parties will notify the Court immediately upon either the successful settlement of the case or if they agree the tutorial should proceed because they are unable to settle.

The tutorial initially scheduled for January 23, 2009 is adjourned until February 23, 2009 at 10:30am.

Sincerely,

ROBINSON, WETTRE & MILLER LLC

Donald A. Robinson
Donald A. Robinson

BARTLIT BECK HERMAN PALENCHAR
& SCOTT LLP

Alan E. Littmann / cw
Alan E. Littmann

SO ORDERED: *[Signature]*

DATED: *January 8, 2009*

cc: All counsel, by email